

Message Text

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TO ALL EAST ASIAN AND PACIFIC DIPLOMATIC POSTS IMMEDIATE
AMEMBASSY COLOMBO IMMEDIATE
INFO USMISSION GENEVA IMMEDIATE
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AMEMBASSY OTTAWA IMMEDIATE

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HONG KONG FOR INS DIDIR

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SUBJECT: LRP PROCEDURES FOR BOAT REFUGEES

REF: A. STATE 163220; B. MANILA 11035;
C. KUALA LUMPUR 6532; D. BANGKOK 18511;
E. HONG KONG 8279; F. SINGAPORE 2897;
G. BANGKOK 18487; H. HONG KONG 8251;
I. HONG KONG 8217; J. HONG KONG 8142;
K. BANGKOK 18064; L. STATE 163984;
M. STATE 152208; N. HONG KONG 8423;
O. STATE 155141; P. TOKYO 12127
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1. SOME CONFUSION HAS ARISEN IN EARLY IMPLEMENTATION OF LRP. SINCE FEW IFANY REFUGEES CAN BE MOVED TO U.S. BEFORE ADDITIONAL FUNDING IS AVAILABLE FROM FY-78 SUPPLEMENTAL LEGISLATION NOT YET PASSED BY CONGRESS, THERE IS SOMEWHAT LESS URGENCY TO ASSIGN A-NUMBERS QUICKLY, SINCE EVEN REFUGEES WITH A-NUMBERS AND SPONSORS ARE NOT LIKELY TO BE ABLE TO BE MOVED FOR SOME TIME. NEVERTHELESS, PROCESSING UP TO MOVEMENT PHASE SHOULD PROCEED AS RAPIDLY AND AS SMOOTHLY AS POSSIBLE.

2. REF A ASKED EACH POST TO REPORT HOW MANY REFUGEES IN CATEGORIES I THROUGH IV IN EACH COUNTRY. DEPT. HAS SO FAR RECEIVED REPLIES ONLY FROM HONG KONG (REF H), MANILA (REF B), KUALA LUMPUR (REF C), AND TOKYO (REF P). (THESE AND OTHER REFS ARE NOTAL, BUT DEPT DOES NOT PLAN REPEAT TO ALL POSTS.)

3. BANGKOK REF K GAVE NUMBER OF REFUGEES IN EACH CATEGORY APPROVED BY INS AND REQUESTED ALLOCATION OF FIXED NUMBER EACH SUCCEEDING MONTH TO MEET TARGET OF 2,500 BOAT REFUGEES TO BE TAKEN FROM THAILAND THROUGH NEXT APRIL. IN RESPONSE REF A, BANGKOK REF G REPEATED THIS REQUEST BUT DID NOT REPORT HOW MANY REFUGEES IN EACH CATEGORY HAD ARRIVED BEFORE JUNE 14 AND WERE FULLY DOCUMENTED WITH VISA FALCON CLEARANCES AND RELATIVE OR EMPLOYMENT VERIFICATION FOR CAT I AND II REFUGEES.

4. WE ASSUME THAT ALL BOAT REFUGEES APPROVED BY INS IN THAILAND AND MALAYSIA WERE FULLY DOCUMENTED. IN ABSENCE OF OTHER INFORMATION, ALSO ASSUME THERE WERE NO OTHER FULLY DOCUMENTED REFUGEES WHO ARRIVED IN THAILAND BEFORE JUNE 14. ADDITIONAL ASSUMPTION IS THAT ALL APPROVED CAT. UNCLASSIFIED

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III AND IV REFUGEES HAD NOT BEEN ACCEPTED BY OTHERCOUNTRIES, AS STATED IN CRITERIA REF M. FOLLOWING IPP PROCEDURES, CAT III AND IV REFUGEES MUST BE WILLING TO ACCEPT ANY THIRD COUNTRY OFFER AND HAVE REMAINED IN COUNTRY AT LEAST ONE MONTH WITHOUT RECEIVING OFFER BEFORE THEY CAN BE CONSIDERED FOR LRP.

5. SINCE INS OFFICERS HAVE ALREADY APPROVED 1,545 REFUGEES (395 IN THAILAND AND 1,150 IN MALAYSIA), INS/CO CONCURS WITH DEPT REQUEST TO ALLOCATE 1,545 A-NUMBERS BASED ON REFTELS AS FOLLOWS:

A. MALAYSIA PER REF C, 95 CAT I; 1 CAT. II; 322 CAT. III; AND 732 CAT IV REFUGEES ALREADY APPROVED BY INS TOTALING 1,150.

B. THAILAND PER REF C, 72 CAT. I; 6 CAT. II; 114 CAT. III; AND 203 CAT IV REFUGEES ALREADY APPROVED BY INS, TOTALING 395.

6. SINCE 1,545 REFUGEES WERE APPROVED IN JUNE, OR 45 MORE THAN 1,500 SET FORTH IN CRITERIA, JULY QUOTA WILL BE REDUCED BY 45 TO 905.

IN ORDER FOR DEPT AND INS/CO TO ALLOCATE 905 NUMBERS EQUITABLY FOR JULY, FOLLOWING UP ON INSTRUCTIONS IN REF A EACH POST SHOULD REPORT SOONEST, AND IN ANY CASE NOT LATER THAN JULY 12, NUMBERS OF REFUGEES IN EACH CATEGORY WHO

ARRIVED BEFORE JULY 1 (NOTE: NOT JUNE 14), WERE NOT APPROVED AMONG 1,545 LRP NUMBERS ASSIGNED IN JUNE, BUT WERE FULLY DOCUMENTED WITH VISA FALCON CLEARANCE AND RELATIVE OR EMPLOYMENT VERIFICATION COMPLETED IF IN CAT. I OR II. DEPT WILL USE THIS INFORMATION TO REQUEST INS/CO TO INSTRUCT INS DIDIR ON COUNTRY ALLOCATIONS. IN JULY AND LATER MONTHS INFORMATION SHOULD BE SENT IN TO PROVIDE ALLOCATION INSTRUCTIONS BEFORE INS INTERVIEWS, NOT AFTER-UNCLASSIFIED

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WARDS.

7. IN AUGUST AND LATER MONTHS, REPORTS SHOULD BE SUBMITTED ASAP AFTER END OF MONTH, AND IN ANY CASE NOT LATER THAN FIFTH OF NEXT MONTH. KEY POINT IS THAT DOCUMENTATION, INCLUDING RECEIPT OF VISA FALCON CLEARANCE AND RELATIVE OR EMPLOYMENT VERIFICATION WHERE APPLICABLE, MUST BE RECEIVED BY END OF MONTH FOR REFUGEES TO BE ELIGIBLE FOR NEXT MONTH'S TRANCHE. POSTS SHOULD BE ABLE TO REPORT THIS INFORMATION WITHIN FIVE DAYS AFTER END OF MONTH, SINCE THEY WILL ONLY HAVE TO CHECK RECORDS RATHER THAN GOING OUT TO COUNT HOW MANY REFUGEES ACTUALLY ARRIVED IN COUNTRY BEFORE END OF MONTH.

8. FOR JULY, BASED ON PRELIMINARY REPORTING IN REFTELS, 905 NUMBERS WILL BE ALLOCATED TO CAT. I AND II AND SOME, BUT NOT ALL, CAT. III REFUGEES IN ALL POSTS WHO ARRIVED AND WERE FULLY DOCUMENTED BEFORE JULY 1. THERE WILL CERTAINLY NOT BE ROOM IN JULY FOR ANY CAT IV REFUGEES.

9. HONG KONG REF H HAS ALREADY REPORTED 56 IN CAT I AND II WHO ARRIVED BEFORE JUNE 14, MANILA REF B REPORTED 28, KUALA LUMPUR REF C REPORTED 311, AND TOKYO REF P REPORTED 15. TO THIS MINIMUM TOTAL OF 410 MUST BE ADDED THOSE IN CATS I AND II IN THESE AND OTHER POSTS WHO ARRIVED AND WERE FULLY DOCUMENTED BEFORE JULY 1.

10. AS FOR CAT. III REFUGEES, HONG KONG REF H REPORTED 97 FULLY DOCUMENTED BEFORE JUNE 14, MANILA REF B REPORTED 111, KUALA LUMPUR REF C REPORTED 1,069, AND TOKYO REF P REPORTED 27, FOR TOTAL OF 1,304. THUS MINIMUM GRAND TOTAL OF CAT I, II, AND III REFUGEES IS 1,714 PLUS THOSE FULLY DOCUMENTED BETWEEN JUNE 14 AND JULY 1 AT POSTS WHICH HAVE UNCLASSIFIED

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ALREADY REPORTED, PLUS THOSE DOCUMENTED AT OTHER POSTS BEFORE JULY 1. SINCE THIS NUMBER WILL BE MUCH LARGER THAN 905, MANY CAT. III REFUGEES WILL NOT BE ACCEPTED IN JULY.

11. EACH POST SHOULD THEREFORE DETERMINE MINIMUM NUMBER

IT CONSIDERS BEST QUALIFIED AMONG TOTAL OF CAT III REFUGEES AND SO REPORT TO DEPT AS PART OF MONTHLY REPORT. INCIDENTALLY, CAT III CRITERIA A THROUGH D IN REF M ARE NOT IN RANK ORDER, AND POSTS MAY DETERMINE WITHIN CAT III WHICH REFUGEES THEY CONSIDER MOST ELIGIBLE.

12. BANGKOK REQUESTED IN REFS G AND K THAT 210 BOAT REFUGEE NUMBERS A MONTH BE ALLOCATED TO THAILAND TO FULFILL COMMITMENT TO ACCEPT 2,500 BOAT REFUGEES THROUGH APRIL. DEPT CONSIDERS 2,500 COMMITMENT FOLLOWING VICE PRESIDENT'S VISIT IS OVER-RIDING, AND AS MANY BOAT CASE NUMBERS AS NEEDED TO COMPLEMENT THE 12,500 NUMBERS FOR TOTAL OF 15,000 WILL BE ASSIGNED BEFORE MAY 1. WE CANNOT, HOWEVER, AGREE TO ALLOCATE IN ADVANCE A FIXED MONTHLY NUMBER TO THAILAND. TO DO SO WOULD REDUCE FLEXIBILITY TO RELIEVE PRESSURES WHERE THEY MAY BE GREATEST IN ANY GIVEN MONTH, DEPENDING ON NEW ARRIVALS, AND PROBABLY ALSO LEAD OTHER POSTS EXPERIENCING SUCH PRESSURES TO REQUEST SIMILAR FIXED MONTHLY QUOTAS. THIS WOULD GIVE US NO CAPABILITY TO MEET THE CRITERIA OF PERIL CITED IN REF A PARA 5.

13. BANGKOK REF D IN RESPONSE HONG KONG REF I REQUESTED THAT REMAINING 11 IPP NUMBERS BE USED FOR URGENT CASES RATHER THAN FOR SOME OF LRP CAT. III REFUGEES ENUMERATED IN BANGKOK REF K. SINCE PARA 8 ABOVE ALREADY CALLS FOR ALLOCATION OF LRP NUMBERS FOR ALL INS-APPROVED CAT III REFUGEES IN THAILAND, DEPT AND INS/CO CONCUR WITH BANGKOK REQUEST.

14. SINGAPORE REF F NOTED IT HAD BEEN INFORMED BY INS HONG KONG THAT 112 REFUGEES WHO WERE TO BE PAROLED UNDER UNCLASSIFIED

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CE ARE NOW TO BE PAROLED UNDER LRP. UNDERSTAND, HOWEVER, THAT EMBASSY GAVE GOS GUARANTEE WHEN REFUGEES LANDED THAT THEY WOULD ALL DEPART WITHIN FIXED TIME LIMIT. SINCE SUPPLEMENTAL APPROPRIATION MAY NOT BE PASSED BY CONGRESS SOON, AND FUNDS THEREFORE NOT LIKELY TO BE AVAILABLE TO MOVE REFUGEES BEFORE GOS DEADLINE EXPIRES, DEPT AND INS/CO AGREE THAT ALL REFUGEES IN SINGAPORE FOR WHOM SUCH GUARANTEES WERE GIVEN PRIOR TO JUNE 14 SHOULD CONTINUE TO BE INCLUDED IN CE PROGRAM UNTIL LRP FUNDING AVAILABLE. ONCE FUNDING IS AVAILABLE, HOWEVER, ALL SUCH REFUGEES SHOULD BE INCLUDED WITHIN 25,000 LRP. MOREOVER, AS PREVIOUSLY INSTRUCTED IN REF L, POSTS SHOULD NOT GUARANTEE THAT ANY FUTURE ARRIVALS WILL BE MOVED BY A CERTAIN DATE UNTIL FUNDING IS AVAILABLE TO HONOR THAT COMMITMENT.

15. HONG KONG REFS E AND J EXPRESSED HOPE THAT SOME CE NUMBERS COULD BE USED FOR BOAT REFUGEES TO RELIEVE BUILDUP THERE. DEPT AND INS/CO PLAN TO ALLOCATE AS MANY LRP NUMBERS AS POSSIBLE IN EFFORT RELIEVE SERIOUS SITUATION

THERE, WHILE STILL RECOGNIZING THAT NO MOVEMENT WILL BE POSSIBLE UNTIL FUNDING AVAILABLE. INS/CO STATES, HOWEVER, THAT SINCE LRP AUTHORIZED, CE NUMBERS WILL NO LONGER BE AVAILABLE FOR INDOCHINESE IN ASIA (ALTHOUGH REFUGEES MAY STILL APPLY AT EUROPEAN CE ENTRY POINTS).

16. HONG KONG REF I ALSO ASSIGNED 18 IPP NUMBERS PREVIOUSLY RESERVED FOR CANBERRA TO KUALA LUMPUR FOR CAT. I AND II REFUGEES APPROVED BY INS, AND STATED THAT CANBERRA WOULD BE ASSIGNED 18 LRP NUMBERS INSTEAD. UNDERSTAND FROM VOLAGS THAT SPONSORS ARE BEING FOUND FOR 18 REFUGEES IN AUSTRALIA, AND AUSTRALIAN EMBASSY HAS BEEN PRESSING DEPT TO MOVE 18 TO U.S. SOONEST. SINCE FUNDS TO DO SO ARE NOT YET AVAILABLE UNDER LRP, DEPT AND INS/CO CONCUR THAT 18 UNCLASSIFIED

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IPP NUMBERS SHOULD CONTINUE TO BE RESERVED BY CANBERRA. MOREOVER, PARA 7 ABOVE PROVIDED FOR ALLOCATION OF SUFFICIENT LRP NUMBERS TO KUALA LUMPUR FOR CAT. I AND II REFUGEES ALREADY APPROVED BY INS.

17. MANILA REF B STATED THERE ARE NO FULLY-DOCUMENTED CASES IN PHILIPPINES WHERE NO INTERVIEWS HAVE BEEN HELD FOLLOWING FINAL ALLOCATION OF IPP NUMBERS. DEPT HAD ASSUMED THAT JVR AND CONOFF HAD BEEN CONTINUING TO SCREEN REFUGEES AND TO SUBMIT VISA FALCON AND RELATIVE AND EMPLOYMENT VERIFICATION CABLES WHERE APPLICABLE BEFORE SCHEDULING INS INTERVIEWS. REFTEL, HOWEVER, INDICATES THAT CONOFF AND INS INTERVIEWS TAKE PLACE SIMULTANEOUSLY. IF TRUE, THIS MAY SAVE CONOFF SOME TIME INITIALLY, BUT IT DOES NOT ALLOW HIM TO DETERMINE ELIGIBILITY OF REFUGEES IN ADVANCE BEFORE PRESENTING CASES TO INS, AS OTHER POSTS DO. PRESUMABLY, THIS MEANS THAT VISA FALCON CLEARANCES AND RELATIVE OR EMPLOYMENT VERIFICATIONS ARE NOT RECEIVED BEFORE INS INTERVIEW, SO THAT ONLY CONDITIONAL APPROVALS CAN BE GIVEN AND MORE TIME WILL HAVE TO BE SPENT LATER WAITING FOR SUCH CLEARANCES AND VERIFICATIONS. SUCH DELAYS IN PROCESSING SHOULD BE AVOIDED IF POSSIBLE. MOREOVER, IF CONOFF DOES NOT SCREEN REFUGEE DOSSIERS INITIALLY PREPARED BY JVR, HE WILL HAVE TO RELY ON UNHCR INTERPRETATION OF U. S. CRITERIA TO REPORT NUMBER IN EACH CATEGORY WHICH DEPT AND INS/CO USE TO ALLOCATE A-NUMBERS. CONOFF SHOULD THEREFORE RESUME PRELIMINARY SCREENING AND DOCUMENTATION OF REFUGEES HE FINDS ELIGIBLE FOR PRESENTATION TO INS.

18. MANILA REFTEL ALSO EXPRESSED HOPE THAT APPROVALS FROM JULY 15 INTERVIEWS WOULD BE AUTHORIZED NUMBERS FROM FIRST TRANCHE. AS EXPLAINED PARA 9 ABOVE, WE ANTICIPATE THAT ALL CAT. I AND II REFUGEES WHO ARRIVED IN PHILIPPINES AND WERE FULLY DOCUMENTED BEFORE JULY 1 WILL BE INCLUDED IN ALLOCATION OF 905 NUMBERS FOR JULY. PLEASE BEGIN

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DOCUMENTING SUCH REFUGEES, AS WELL AS ANY CONSIDERED HIGHLY ELIGIBLE IN CAT. III, AND REPORT NUMBER IN ALL FOUR CATEGORIES.

19. BANGKOK REF G ALSO RAISED SEVERAL POINTS APPLICABLE TO ALL POSTS. CONCUR WITH PARA 1 THAT POSTS SHOULD REPORT IN EACH CATEGORY ONLY THOSE REFUGEES WHO WISH TO GO TO U.S. UNDER LRP CRITERIA REF M, ALL IN CAT. I OR II CAN BE ACCEPTED BY U.S. EVEN IF ACCEPTED BY OTHER COUNTRIES; THOSE IN CAT. III AND IV CANNOT BE.

20. CONCUR WITH REF G PARA 3 THAT HIGH PRIORITY WITHIN CAT. IV SHOULD BE GIVEN TO CLOSE RELATIVES OF PERSONS WHO ARRIVED IN U.S. AFTER JUNE 14 AND MARRIED SIBLINGS OF PERSONS IN U.S. WE HAVE NO OBJECTION TO GIVING LOWER PRIORITY TO PERSONS WITH MORE DISTANT RELATIVES IN U.S. THIS ALL MAY BE ACADEMIC IF NUMBERS IN HIGHER CATEGORIES DO NOT PERMIT ACCEPTANCE OF ANY IN CAT. IV. BELIEVE, HOWEVER, THAT SUCH DETAILED INTERPRETATION OF CRITERIA SHOULD BE LEFT TO POSTS TO AGREE ON AMONG THEMSELVES TO ENSURE THAT CRITERIA ARE APPLIED AS UNIFORMLY AS POSSIBLE IN ALL COUNTRIES. HA/ORM DIRECTOR LOWMAN HAS DISCUSSED CAT. III CRITERIA WITH OFFICERS HANDLING REFUGEES IN BANGKOK, JAKARTA, KUALA LUMPUR, AND SINGAPORE AND PROPOSES DO SAME IN HONG KONG WITH CONOFFS RESPONSIBLE FOR REFUGEES IN JAPAN AND PHILIPPINES.

21. REF G PARA 4 DESCRIBED PLIGHT OF REFUGEES ON NON-U.S. SHIPS. WHILE WE CAN ACCEPT CAT. I AND II REFUGEES ON SUCH SHIPS, THERE ARE SIMPLY INSUFFICIENT NUMBERS TO ACCEPT OTHERS, AS STATED REF O. TO MEET PROBLEM, UNHCR WILL HAVE TO SEEK RESETTLEMENT OFFERS FROM COUNTRIES OTHER THAN U.S. AND CONTINUE ITS EFFORTS TO PERSUADE COUNTRIES

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OF FIRST ASYLUM TO PERMIT REFUGEES RESCUED AT SEA TO COME ASHORE WITHOUT ABSOLUTE GUARANTEES, SO AS TO ENCOURAGE SHIP MASTERS TO RENDER AID TO SMALL BOATS IN DISTRESS.

22. FULLY CONCUR WITH REF G PARA 5 ON NEED FOR FLEXIBILITY IN OPERATING LRP. INS WILL SCHEDULE INTERVIEWS IN DIFFERENT COUNTRIES AS ECONOMICALLY AS POSSIBLE AND NOT INSIST ON APPROVING EXACTLY 950 REFUGEES A MONTH AS LONG

AS CUMULATIVE APPROVALS DO NOT RUN AHEAD OF THOSE SET FORTH IN CRITERIA. IN OTHER WORDS, INS OFFICERS MAY VISIT A GIVEN POST ONLY ONCE EVERY TWO MONTHS AND COULD GIVE ADVANCE APPROVALS FOR SECOND MONTH. IN ESSENCE, THIS IS

WHAT HAS ALREADY HAPPENED IN MALAYSIA AND THAILAND, WHICH TOOK ALL 1,500 JUNE TRANCHE NUMBERS, SOME OF WHICH SHOULD HAVE BEEN SAVED, ACCORDING TO CRITERIA, FOR HIGHER PRIORITY REFUGEES IN OTHER COUNTRIES. THIS WILL HAVE TO BE MADE UP IN JULY TRANCHE OR LATER.

23. SEVERAL OTHER QUESTIONS HAVE BEEN RAISED REGARDING LRP IMPLEMENTATION. AS WAS THE CASE UNDER IPP, IF A MARRIED REFUGEE ARRIVES WITHOUT HIS OR HER SPOUSE, HE OR SHE WILL BE CONSIDERED SINGLE UNDER LRP.

24. AT PRESENT, UNACCOMPANIED MINORS, DEFINED AS THOSE WITHOUT EITHER A RELATIVE AMONG THE REFUGEES THEY ESCAPE WITH OR WITHOUT A RELATIVE IN U.S., ARE NOT BEING ACCEPTED BY VOLAGS FOR SPONSORSHIP SEARCH BECAUSE OF POTENTIAL LEGAL AND FINANCIAL PROBLEMS. HEW IS WORKING TO RESOLVE THESE PROBLEMS, BUT FOR TIME BEING VOLAGS HAVE INDICATED THEY WILL NOT TRY TO FIND SPONSORS FOR NEWLY-APPROVED UN-ACCOMPANIED MINORS UNTIL PROBLEMS ARE SETTLED. THEREFORE, FOR PRESENT IT WOULD BE WASTE OF NUMBERS TO ASSIGN ANY TO UNACCOMPANIED MINORS WHO WOULD NOT BE MOVED TO U.S. EVEN IF FUNDS WERE AVAILABLE, SINCE THEY HAVE NO SPONSORS. IF SITUATION CHANGES, POSTS WILL BE INFORMED AND MAY WISH IN UNCLASSIFIED

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LATER TRANCHES TO PICK UP EARLY ARRIVALS AMONG UNACCOMPANIED MINORS IF ANY NUMBERS ARE AVAILABLE FOR CAT. IV REFUGEES.

25. QUESTION HAS ALSO BEEN RAISED ABOUT ASSIGNING HUMANITARIAN PAROLE NUMBERS TO FIELD TO USE FOR NEWBORN BABIES OF APPROVED REFUGEES. INS/CO WISHES TO GIVE SUCH INFANTS OF LRP FAMILIES NUMBERS FROM 25,000 LRP. BABIES BORN TO REFUGEES APPROVED UNDER IPP WILL BE SUBJECT OF SEPTEL.

26. ANOTHER QUESTION REGARDS ABSENCE FROM LRP CRITERIA OF ANY MENTION OF ELIGIBILITY BECAUSE OF SPECIAL EMINENCE. THIS WAS NOT INCLUDED IN CRITERIA APPLIED UNIFORMLY TO BOTH LAND AND BOAT REFUGEES, SINCE LAND CRITERIA WERE BASED ON CLOSE ASSOCIATION TO U.S. TO CARRY OUT PRESIDENTIAL DECISION TO ACCEPT LAND REFUGEES WHO PASSED THAT TEST.

27. WELCOME POST AND INS DIDIR COMMENTS ON ABOVE AND ANY OTHER POINTS. VANCE

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